IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.669 of 2005

Between:

Papasani Padmamma, W/o.Janardhan,
R/o.Komarapudi Village, Nellore Rural Mandal, Nellore District.

..... PETITIONER

AND

1 The District Collector, Nellore Nellore District.
2 The Mandal Revenue Officer Nellore, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondents in interfering with the possession and enjoyment of the petitioner's lands to an extent of Ac.0-93 cents in Sy.No.771-4, Ac.1-79 cents in Sy.No.771-8 of Komarapudi Village, H/o.Mulumudi Revenue Village, Nellore Mandal, Nellore District and assigning the same to third parties as illegal, unjust, arbitrary, Violative of Principles of natural justice and violative of Articles 14 and 31-A of the Constitution of India and consequently the respondents be directed not to dispossess the petitioner from the said lands.

Counsel for the Petitioner: MR.S.V.MUNI REDDY

Counsel for the Respondents: GP FOR REVENUE (Assignment)

The Court, at the admission stage, made the following:

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ORDER:

Heard the learned counsel for petitioner and learned Government Pleader for Revenue and with their consent the writ petition itself is disposed of at the stage of admission.

The main grievance of the petitioner in this writ petition is that the respondents, without canceling the D Form patta granted to her in respect of the lands admeasuring Ac. 0.93 cents in Survey No.771-4, and Ac.1.79 cents in Survey No.771-8 of Komarapudi village, hamlet of Mulumudi Revenue village, Nellore Mandal, Nellore District, and without following the due process of law, are trying to allot the same lands to others. Hence, she filed the present writ petition.

Any cancellation of the patta granted to the petitioner, shall only be after following the due process of law, in that, they shall issue notice to the petitioner calling for her explanation, after considering the explanation that may be submitted by her, pass appropriate orders, and till such exercise is undertaken, status quo obtaining as on today shall be maintained by the parties as regards the possession of the petitioner. If the respondents have already followed the due process of law in the matter, they are at liberty to take consequential steps in accordance with the decision they have taken.

Accordingly, the writ petition is disposed of at the stage of admission.

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N.V. RAMANA, J.

Date: 25.01.2005

Nsr/Mrr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Nellore Nellore District.
2 The Mandal Revenue Officer Nellore, Nellore District.

3 Two CCS to GP for Revenue (Assignment), High Court of AP, Hyderabad (OUT)

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